

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Meat and Poultry Inspection Act is amended
5 by changing Section 5.2 as follows:

6 (225 ILCS 650/5.2)

7 Sec. 5.2. Type II licenses.

8 (a) Type II establishments licensed under this Act for
9 custom slaughtering and custom processing shall:

10 (1) Be permitted to receive, for processing, meat
11 products and poultry products from animals and poultry
12 slaughtered by the owner or for the owner for his or her
13 own personal use or for use by his or her household.

14 (2) Be permitted to receive live animals and poultry
15 presented by the owner to be slaughtered and processed for
16 the owner's own personal use or for use by his or her
17 household.

18 (3) Be permitted to receive, for processing, inspected
19 meat products and inspected poultry products for the
20 owner's own personal use or for use by his or her
21 household.

22 (4) Stamp the words "NOT FOR SALE-NOT INSPECTED" in
23 letters at least 3/8 inches in height on all carcasses of

1 animals and immediate poultry product containers for
2 poultry slaughtered in such establishment and on all meat
3 products and immediate poultry product containers for
4 poultry products processed in that establishment.

5 (5) Conspicuously display a license issued by the
6 Department and bearing the words "NO SALES PERMITTED".

7 (6) Keep a record of the name and address of the owner
8 of each carcass or portion thereof received in such
9 licensed establishment, the date received, and the dressed
10 weight. Such records shall be maintained for at least one
11 year and shall be available, during reasonable hours, for
12 inspection by Department personnel.

13 (b) No custom slaughterer or custom processor shall engage
14 in the business of buying or selling any poultry or meat
15 products capable of use as human food, or slaughter of any
16 animals or poultry intended for sale.

17 (c) Each Type II licensee shall develop, implement, and
18 maintain written standard operating procedures for sanitation,
19 which shall be known as Sanitation SOPs, in accordance with all
20 of the following requirements:

21 (1) The Sanitation SOPs must describe all procedures
22 that a Type II licensee shall conduct daily, before and
23 during operations, sufficient to prevent direct
24 contamination or adulteration of products.

25 (2) The Sanitation SOPs must be signed and dated by the
26 individual with overall authority on-site or a higher level

1 official of the establishment. This signature shall
2 signify that the establishment shall implement the
3 Sanitation SOPs as specified and maintain the Sanitation
4 SOPs in accordance with the requirements of this subsection
5 (c). The Sanitation SOPs must be signed and dated upon the
6 initial implementation of the Sanitation SOPs and upon any
7 modification to the Sanitation SOPs.

8 (3) Procedures set forth in the Sanitation SOPs that
9 are to be conducted prior to operations must be identified
10 as such and must address, at a minimum, the cleaning of
11 food contact surfaces of facilities, equipment, and
12 utensils.

13 (4) The Sanitation SOPs must specify the frequency with
14 which each procedure in the Sanitation SOPs shall be
15 conducted and identify the establishment employees
16 responsible for the implementation and maintenance of the
17 procedures.

18 (5) Prior to the start of operations, each licensee
19 must conduct the pre-operational procedures in the
20 Sanitation SOPs. All other procedures set forth in the
21 Sanitation SOPs must be conducted at the frequencies
22 specified.

23 (6) The implementation of the procedures set forth in
24 the Sanitation SOPs must be monitored daily by the
25 licensee.

26 (7) A licensee must routinely evaluate the

1 effectiveness of the Sanitation SOPs and the procedures set
2 forth therein in preventing direct contamination or
3 adulteration of products and shall revise both as necessary
4 to keep the Sanitation SOPs and the procedures set forth
5 therein effective and current with respect to changes in
6 facilities, equipment, utensils, operations, or personnel.

7 (8) A licensee must take appropriate corrective action
8 when either the establishment itself or the Department
9 determines that the Sanitation SOPs or the procedures
10 specified therein or the implementation or maintenance of
11 the Sanitation SOPs may have failed to prevent direct
12 contamination or adulteration of products. Corrective
13 actions include procedures to ensure appropriate
14 disposition of products that may be contaminated, restore
15 sanitary conditions, and prevent the recurrence of direct
16 contamination or adulteration of products, such as
17 appropriate reevaluation and modification of the
18 Sanitation SOPs and the procedures specified therein or
19 appropriate improvements in the execution of the
20 Sanitation SOPs or the procedures specified therein.

21 (9) A licensee must maintain daily records sufficient
22 to document the implementation and monitoring of the
23 Sanitation SOPs and any corrective actions taken. The
24 establishment employees specified in the Sanitation SOPs
25 as being responsible for the implementation and monitoring
26 of the procedures set forth in the Sanitation SOPs must

1 authenticate these records with their initials and the
2 date. The records required to be maintained under this item
3 (9) may be maintained on computers, provided that the
4 establishment implements appropriate controls to ensure
5 the integrity of the electronic data. Records must be
6 maintained for at least 6 months and made available to the
7 Department upon request. All records must be maintained at
8 the licensed establishment for 48 hours following
9 completion, after which the records may be maintained
10 off-site, provided that the records may be made available
11 to the Department within 24 hours of request.

12 (10) The Department shall verify the adequacy and
13 effectiveness of the Sanitation SOPs and the procedures
14 specified therein by determining that they meet the
15 requirements of this subsection (c). This verification may
16 include the following:

17 (A) reviewing the Sanitation SOPs;

18 (B) reviewing the daily records documenting the
19 implementation of the Sanitation SOPs and the
20 procedures set forth therein and any corrective
21 actions taken or required to be taken;

22 (C) direct observation of the implementation of
23 the Sanitation SOPs and the procedures specified
24 therein and any corrective actions taken or required to
25 be taken; and

26 (D) direct observation or testing to assess the

1 sanitary conditions within the establishment.

2 (d) Each Type II licensee that slaughters livestock must
3 test for Escherichia coli Biotype 1 (E. coli). Licensees that
4 slaughter more than one type of livestock or both livestock and
5 poultry must test the type of livestock or poultry slaughtered
6 in the greatest number. The testing required under this
7 subsection (d) must meet all of the following requirements:

8 (1) A licensee must prepare written specimen
9 collection procedures that identify the employees
10 designated to collect samples and must address (i)
11 locations of sampling, (ii) the ways in which sampling
12 randomness is achieved, and (iii) the handling of samples
13 to ensure sample integrity. This written procedure must be
14 made available to the Department upon request.

15 (2) Livestock samples must be collected from all
16 chilled livestock carcasses, except those boned before
17 chilling (hot-boned), which must be sampled after the final
18 wash. Samples must be collected in the following manner:

19 (A) for cattle, establishments must sponge or
20 excise tissue from the flank, brisket, and rump, except
21 for hide-on calves, in which case establishments must
22 take samples by sponging from inside the flank, inside
23 the brisket, and inside the rump;

24 (B) for sheep and goats, establishments must
25 sponge from the flank, brisket, and rump, except for
26 hide-on carcasses, in which case establishments must

1 take samples by sponging from inside the flank, inside
2 the brisket, and inside the rump;

3 (C) for swine carcasses, establishments must
4 sponge or excise tissue from the ham, belly, and jowl
5 areas.

6 (3) A licensee must collect at least one sample per
7 week, starting the first full week of operation after June
8 1 of each year, and continue sampling at a minimum of once
9 each week in which the establishment operates until June 1
10 of the following year or until 13 samples have been
11 collected, whichever is sooner.

12 (4) Upon a licensee's meeting the requirements of item
13 (3) of this subsection (d), weekly sampling and testing
14 shall be optional, unless changes are made in establishment
15 facilities, equipment, personnel, or procedures that may
16 affect the adequacy of existing process control measures,
17 as determined by the licensee or the Department.
18 Determinations made by the Department that changes have
19 been made requiring the resumption of weekly testing must
20 be provided to the licensee in writing.

21 (5) Laboratories may use any quantitative method for
22 the analysis of E. coli that is approved as an AOAC
23 Official Method of the AOAC International (formerly the
24 Association of Official Analytical Chemists) or approved
25 and published by a scientific body and based on the results
26 of a collaborative trial conducted in accordance with an

1 internationally recognized protocol on collaborative
 2 trials and compared against the 3 tube Most Probable Number
 3 (MPN) method and agreeing with the 95% upper and lower
 4 confidence limit of the appropriate MPN index.

5 (6) A licensee must maintain accurate records of all
 6 test results, in terms of CFU/cm² of surface area sponged
 7 or excised. Results must be recorded onto a process control
 8 chart or table showing at least the most recent 13 test
 9 results, by type of livestock slaughtered. Records shall be
 10 retained at the establishment for a period of 12 months and
 11 made available to the Department upon request.

12 (7) Licensees must meet the following criteria for the
 13 evaluation of test results:

14 (A) A licensee excising samples from carcasses
 15 shall be deemed as operating within the criteria of
 16 this item (7) when the most recent E. coli test result
 17 does not exceed the upper limit (M), and the number of
 18 samples, if any, testing positive at levels above (m)
 19 is 3 or fewer out of the most recent 13 samples (n)
 20 taken, as follows:

21 Evaluation of E. Coli Test Results

<u>Type of</u>	<u>Lower limit</u>	<u>Upper limit</u>	<u>Number</u>	<u>Max number</u>
<u>Livestock</u>	<u>of marginal</u>	<u>of marginal</u>	<u>samples</u>	<u>permitted</u>

	<u>range</u>	<u>range</u>	<u>collected</u>	<u>in marginal</u> <u>range</u>
	<u>(m)</u>	<u>(M)</u>	<u>(n)</u>	<u>(c)</u>
<u>Cattle</u>	<u>Negative a</u>	<u>100 CFU/cm²</u>	<u>13</u>	<u>3</u>
<u>Swine</u>	<u>10 CFU/cm²</u>	<u>10,000 CFU/cm</u>	<u>13</u>	<u>3</u>

a Negative is defined by the sensitivity of the method used in the baseline study with a limit of sensitivity of at least 5 CFU/cm² carcass surface area.

(B) A licensee sponging carcasses shall evaluate E. coli test results using statistical process control techniques.

(8) Test results that do not meet the criteria set forth in item (7) of this subsection (d) are an indication that the establishment may not be maintaining process controls sufficient to prevent fecal contamination. The Department shall take further action as appropriate to ensure that all applicable provisions of this Section are being met.

(e) Each Type II licensee that slaughters poultry shall test for Escherichia coli Biotype 1 (E. coli). Licensees that slaughter more than one type of poultry or poultry and livestock, shall test the type of poultry or livestock slaughtered in the greatest number. The testing required under this subsection (e) must meet all of the following

1 requirements:

2 (1) A licensee must prepare written specimen
3 collection procedures that identify the employees
4 designated to collect samples and must address (i)
5 locations of sampling, (ii) the ways in which sampling
6 randomness is achieved, and (iii) the handling of samples
7 to ensure sample integrity. This written procedure must be
8 made available to the Department upon request.

9 (2) When collecting poultry samples, a whole bird must
10 be taken from the end of the slaughter line. Samples must
11 be collected by rinsing the whole carcass in an amount of
12 buffer appropriate for that type of bird. Samples from
13 turkeys or ratites also may be collected by sponging the
14 carcass on the back and thigh.

15 (3) Licensees that slaughter turkeys, ducks, geese,
16 guineas, squabs, or ratites in the largest number must
17 collect at least one sample during each week of operation
18 after June 1 of each year, and continue sampling at a
19 minimum of once each week that the establishment operates
20 until June 1 of the following year or until 13 samples have
21 been collected, whichever is sooner.

22 (4) Upon a licensee's meeting the requirements of item
23 (3) of this subsection (e), weekly sampling and testing
24 shall be optional, unless changes are made in establishment
25 facilities, equipment, personnel, or procedures that may
26 affect the adequacy of existing process control measures,

1 as determined by the licensee or by the Department.
2 Determinations by the Department that changes have been
3 made requiring the resumption of weekly testing must be
4 provided to the licensee in writing.

5 (5) Laboratories may use any quantitative method for
6 the analysis of E. coli that is approved as an AOAC
7 Official Method of the AOAC International (formerly the
8 Association of Official Analytical Chemists) or approved
9 and published by a scientific body and based on the results
10 of a collaborative trial conducted in accordance with an
11 internationally recognized protocol on collaborative
12 trials and compared against the 3 tube Most Probable Number
13 (MPN) method and agreeing with the 95% upper and lower
14 confidence limit of the appropriate MPN index.

15 (6) A licensee must maintain accurate records of all
16 test results, in terms of CFU/ml of rinse fluid. Results
17 must be recorded onto a process control chart or table
18 showing the most recent 13 test results, by type of poultry
19 slaughtered. Records must be retained at the establishment
20 for a period of 12 months and made available to the
21 Department upon request.

22 (7) A licensee excising samples under this subsection
23 (e) shall be deemed as operating within the criteria of
24 this item (7) when the most recent E. coli test result does
25 not exceed the upper limit (M), and the number of samples,
26 if any, testing positive at levels above (m) is 3 or fewer

1 out of the most recent 13 samples (n) taken, as follows:

2 Evaluation of E. Coli Test Results

3 <u>Type of</u>	4 <u>Lower limit</u>	5 <u>Upper limit</u>	6 <u>Number of</u>	7 <u>Number</u>
8 <u>poultry</u>	9 <u>of marginal</u>	10 <u>of marginal</u>	11 <u>samples</u>	12 <u>permitted</u>
	13 <u>range</u>	14 <u>range</u>	15 <u>tested</u>	16 <u>in marginal</u>
				17 <u>range</u>
	18 <u>(m)</u>	19 <u>(M)</u>	20 <u>(n)</u>	21 <u>(c)</u>
22 <u>Chickens</u>	23 <u>100 CFU/ml</u>	24 <u>1,000 CFU/ml</u>	25 <u>13</u>	26 <u>3</u>

10 (8) Test results that do not meet the criteria set
 11 forth in item (7) of this subsection (e) are an indication
 12 that the establishment may not be maintaining process
 13 controls sufficient to prevent fecal contamination. The
 14 Department shall take further action as appropriate to
 15 ensure that all applicable provisions of this Section are
 16 being met.

17 (Source: P.A. 94-1052, eff. 1-1-07.)